

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

BRUNO HOFMANN

v.

PHILIP LAUGHLIN, et al.

Civ. No. 04-10027-JLT

**AFFIDAVIT OF PETER J. KOLOVOS IN SUPPORT OF  
MOTION FOR SUMMARY JUDGMENT OF DEFENDANTS  
ALBERT ERANI, PHILIP LAUGHLIN, DONNA LOPOLITO,  
MICHAEL SABOLINSKI, ALAN TUCK AND HERBERT STEIN**

I, Peter J. Kolovos, depose and state as follows:

1. I am a partner at Wilmer Cutler Pickering Hale and Dorr LLP and am one of the counsel for five of the seven remaining defendants in this case. Those defendants are Albert Erani, Philip Laughlin, Donna Abelli Lopolito, Michael Sabolinski and Alan Tuck.

2. I submit this affidavit in support of the Memorandum of Defendants Albert Erani, Philip Laughlin, Donna Lopolito, Michael Sabolinski, Alan Tuck, and Herbert Stein in Support of Their Motion for Summary Judgment.

3. Attached hereto are true and accurate copies of the following documents:

(1) Form 10-K filed with the Securities and Exchange Commission by Organogenesis, Inc. on March 31, 1999 (attached hereto as Exhibit 1);

(2) Press release by Organogenesis, Inc., dated June 20, 2000 (attached hereto as Exhibit 2);

(3) Transcript of a television interview broadcast on the CNBC network, dated June 26, 2000 (attached hereto as Exhibit 3);

(4) License and Supply Agreement, Exhibit 10(v) to the Form-10-K filed with the Securities and Exchange Commission by Organogenesis, Inc. on March 29, 1996 (attached hereto as Exhibit 4);

(5) Amendment V to License and Supply Agreement, Exhibit 10.1 to the Form 8-KA filed with the Securities and Exchange Commission by Organogenesis, Inc. on April 24, 2001 (attached hereto as Exhibit 5);

(6) Form 20-F filed with the Securities and Exchange Commission by Novartis AG on March 18, 2002 (attached hereto as Exhibit 6);

- (7) Form 10-Q filed with the Securities and Exchange Commission by Organogenesis, Inc. on November 15, 1999 (attached hereto as Exhibit 7);
- (8) Form 10-Q/A filed with the Securities and Exchange Commission on February 14, 2000 (attached hereto as Exhibit 8);
- (9) Press release by Organogenesis, Inc., dated March 21, 2000 (attached hereto as Exhibit 9);
- (10) Form 10-K filed with the Securities and Exchange Commission by Organogenesis, Inc. on March 30, 2000 (attached hereto as Exhibit 10);
- (11) Form 10-Q filed with the Securities and Exchange Commission by Organogenesis, Inc. on May 15, 2000 (attached hereto as Exhibit 11);
- (12) Form 10-Q filed with the Securities and Exchange Commission by Organogenesis, Inc. on August 14, 2000 (attached hereto as Exhibit 12);
- (13) Form 10-Q filed with the Securities and Exchange Commission by Organogenesis, Inc. on November 14, 2000 (attached hereto as Exhibit 13);
- (14) Form 10-K filed with the Securities and Exchange Commission by Organogenesis, Inc. on April 2, 2001 (attached hereto as Exhibit 14);
- (15) Form 10-K filed with the Securities and Exchange Commission by Organogenesis, Inc. on April 26, 2001 (attached hereto as Exhibit 15);
- (16) Form 10-Q filed with the Securities and Exchange Commission by Organogenesis, Inc. on August 14, 2001 (attached hereto as Exhibit 16);
- (17) Form 10-Q filed with the Securities and Exchange Commission by Organogenesis, Inc. on November 14, 2001 (attached hereto as Exhibit 17);

(18) Form 10-K filed with the Securities and Exchange Commission by Organogenesis, Inc. on April 16, 2002 (attached hereto as Exhibit 18);

(19) Press release by Organogenesis, Inc., dated April 16, 1999 (attached hereto as Exhibit 19);

(20) Press release by Organogenesis, Inc., dated August 2, 2001 (attached hereto as Exhibit 20);

(21) Press release by Organogenesis, Inc., dated October 4, 2001 (attached hereto as Exhibit 21);

(22) Press release by Organogenesis, Inc., dated April 3, 2002 (attached hereto as Exhibit 22);

(23) Press Release by Organogenesis, Inc., dated January 29, 2002 (attached hereto as Exhibit 23);

(24) Form 8-K filed with the Securities and Exchange Commission by Organogenesis, Inc. on January 30, 2002 (attached hereto as Exhibit 24); and

(25) Closing stock prices for Organogenesis, Inc. for dates January 4, 1999 through September 15, 2003, as reported by Sungard (formerly Tradeline) and published by Lexis (attached hereto as Exhibit 25).

I declare under the pains and penalties of perjury that the foregoing is true and correct and that this Affidavit was executed on April 18, 2007.

/s/ Peter J. Kolovos  
Peter J. Kolovos

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of this document was filed through the ECF system on April 18, 2007, and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Eric D. Levin  
Eric D. Levin